

Public Notice – Environmental Project

PURPOSE OF NOTICE:

The Department of Environmental Quality seeks public comment on the state's response to the environmental aspects of a proposed project located in the Town of Oyster on the Eastern Shore of Virginia.

PUBLIC COMMENT PERIOD:

December 5, 2008 to January 5, 2009

TYPE OF RESPONSE:

Federal Consistency Determination

DEQ is reviewing a federal action to determine if it is consistent with the U.S. Coastal Zone Management Act. The act seeks to protect the quality of air, water or other natural resources in Virginia's coastal area.

NAME OF AGENCY PROPOSING THE PROJECT:

U.S. Army Corps of Engineers (Corps)

PROJECT DESCRIPTION:

The U.S. Army Corps of Engineers proposes to restore 2 formerly used dredged material disposal sites within the Town of Oyster. The sites have not been used for 20 years and are heavily colonized by the invasive, non-native *Phragmites australis*. The preferred plan would restore a total of 8.8 acres of maritime forest, 28.0 acres of riparian habitat, and 4.1 acres of estuarine marsh. The project's design is based on the goal of providing food and shelter for migrating neotropical migrant birds.

The project is being proposed under Section 1135 of the Water Resources Development Act of 1986, as amended. The authority provides the Corps with the opportunity to modify structures and operations of Corps projects to improve the quality of the environment when it is determined that such modifications are feasible. The primary purpose of Section 1135 projects is to improve aquatic and/or terrestrial ecosystem components and functions. The Nature Conservancy is the local sponsor of the project. The Conservancy owns the majority of Virginia's barrier islands in what is known as the Virginia Coast Reserve system. This project would add to this system.

A federal consistency determination has been submitted for this proposal which finds it consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Resources Management Program (VCP).

HOW TO COMMENT:

DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received

by DEQ within the comment period. The public may review the project documents at DEQ's Central Office in Richmond.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:

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